

May 13, 2013

Marlene H. Dortch,
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: Comment on VRS Equipment & Rates (DA 12-1644) – Filed electronically via ECFS in 10-51.

Dear Marlene H. Dortch,

I am Todd Elliott and I am a VRS consumer. Thank you for giving me the opportunity to comment further on issues surrounding the VRS reform initiative.

INTEROPERABILITY BETWEEN VIDEOPHONES

I currently use a soft-videophone on my iPhone as my only VRS device. I do not have a dedicated videophone unit. I can easily connect to my VRS provider. I can connect with my friends on a point to point basis most of the time. I am able to receive some video messages left by my VRS provider and my friends. I was not able to leave video messages to my friends.

I feel I have an inconsistent experience in using videophones on a point to point basis. This is because my friends may have selected competing VRS providers for their telecommunication needs. I realize the need for a competitive marketplace for VRS products and services; that alone should not be the reason for my inconsistent VRS experience.

I support Purple's petition¹ to open up the Video Mail issue for point to point calls between competing VRS providers. More alarmingly, Sheri Farinha reported² difficulties in

¹ Purple Communications wanted a Public Notice; I prefer a rule-making proceeding. See Purple's Petition filed on 4/11/13 in Dockets 10-51 and 03-123. Purple has articulated excellent reasons why

leaving video mail messages in an emergency situation involving a survivor of domestic abuse. I doubt this to be an isolated incident.

The VRS market is a homogenous network of similar products and services, delivered in a competitive environment. It is critical that interoperability is present in a competitive environment; VRS consumers need the security and peace of mind that they can use their services and devices as intended.³

I feel that Sorenson's response to the Video Mail issue is somewhat disingenuous. They stated, "First, Sorenson chose not to implement video mail via server-based routing because the FCC had not provided clarity as to whether server-based routing was permitted. Second, Sorenson chose to record calls locally on the calling user's videophone because it believes that doing so improves video quality in low-bandwidth settings."⁴

They touted the local recording of video messages in optimizing video quality, as a selling point in their Video SignMail offering. They cast doubts on server-based routing in favor of device-dependent local routing. They essentially tied their Video Mail feature to their devices, leveraging their dominant position in the VRS marketplace.

Basically, even if competing VRS providers implemented local recording of video mail messages, there are no assurances that competing VRS servers will accept them and host them for later retrieval by their consumers. This set-up is also counter-intuitive, as voice

interoperability in point to point calls, and with respect to video mail features, promote functional equivalency. (See Part II) <http://apps.fcc.gov/ecfs/document/view?id=7022278715>

² Norcal Services for the Deaf and Hard of Hearing Ex Parte Comment. She was using a Purple P3 videophone and the other party was using a Sorenson device.

<http://apps.fcc.gov/ecfs/document/view?id=7022310424>

³ See also, "While such competition may sometimes result in **incompatibilities** between the enhanced features offered by different providers, it will ultimately lead to better technology and service for consumers." [Boldface emphasis mine.] Page 2, Sorenson's Ex Parte Reply, filed May 7th, 2013. <http://apps.fcc.gov/ecfs/document/view?id=7022310625>

⁴ Page 2, Sorenson's Ex Parte Reply, filed May 1st, 2013.

<http://apps.fcc.gov/ecfs/document/view?id=7022308428>

recording is usually done at the recipient end in ordinary telephone communications. I would prefer a rule-making proceeding to hash out these technical details in securing video mail messages, storage, access, transmittal, retrieval, forwarding, and more.

THE NEED FOR COMPETITION IN THE VRS MARKETPLACE

Sorenson, in their Ex Parte Response, stated, “Notably, when the Commission was considering reforms to its high cost universal service program, it determined that it would only support one network in areas that were so costly that, in the absence of support, no networks would be built. The Commission decided against subsidizing competition in these areas, notwithstanding the public benefits that ordinarily flow from market competition.”⁵

I disagree with this statement. While this analysis was produced in response to the elimination of rate tiers argument, a fair reading would similarly allow auctions or reverse auctions to rapidly downsize the VRS market, controlled by a monopoly or a duopoly.

While we are VRS consumers, we are primarily TRS consumers. I still remember using state-provided TTY relay services, all serviced by a single telecommunications provider. The states would dole out exclusive multi-year contracts for TTY relay, and specify minimum technical, equipment, and performance standards. After a few years, the state TTY markets have all but essentially matured.

It is of no surprise then, that the VRS market, with its competitive base consisting of innovative products and services, easily eclipsed the TTY market. Competition has helped expand a huge new market for Deaf/HH people, and fulfills the Availability Mandate of the Telecommunications Act. To abandon the principles of competition in the VRS marketplace is to turn the clock back to the TTY era.

⁵ See Page 2. <http://apps.fcc.gov/ecfs/document/view?id=7022290061>

Moreover, geographical limitations and ‘last mile’ connections complicated the issues surrounding the high cost areas in the Universal Service Program. These physical issues are different from the VRS market, as products and services piggyback on the healthy and robust high-speed Internet infrastructure in the U.S. Lastly, the VRS market is labor-intensive, not infrastructure which can be capitalized and amortized over a long period of time.

QUALIFIED INTERPRETERS

I am quoting Sorenson; “Sorenson frequently hires qualified but not certified interpreters and then trains them- at a cost of more than \$10,000 per newly-hired interpreter.”⁶ I wish to alert VRS consumers and the Commission about the troubling use of ‘qualified’ ASL interpreters in VRS settings. Who says these individuals are ‘qualified’?

That said, the community interpreting market has improved somewhat in my local community. I have seen and interacted with qualified (& certified) interpreters in community settings. If it’s the end result of the VRS market hiring ‘qualified’ interpreters, I guess I can live with the trade-off in quality. But, in the long run, I would like to see qualified and certified interpreters in both VRS and community settings.

SKILLS-BASED ROUTING

The Consumer Groups continue to advocate for skills-based routing of VRS calls⁷, matching interpreters and their specific skill sets to specific kind of calls. For example, an ASL interpreter with legal expertise would be tasked in handling VRS calls containing legal matters. An ASL interpreter with a MBA background to handle business calls, etc.

⁶ See Page 2, Sorenson’s Ex Parte Response, filed 4/17/2013.

<http://apps.fcc.gov/ecfs/document/view?id=7022284862>

⁷ See Page 2, Consumer Groups Ex Parte Comment, filed 4/11/2013.

<http://apps.fcc.gov/ecfs/document/view?id=7022272150>

If the Commission is considering this kind of service for VRS services, I suggest that they put it in a separate rule-making proceeding. Too many service providers (eg., lawyers, accountants) may try to circumvent costly community interpreting services by resorting to VRS, and Deaf/HH consumers may oblige. Accessing vital services over the telephone is better than accessing no services, and this kind of service may be prone to misuse or abuse.

CONCLUSION

Thank you for your time in reading my comment.

Sincerely,

Todd Elliott
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